

REMARKS

This paper is filed in response to the May 16, 2006 Office Action. As this paper is filed before August 16, 2006, this response is timely filed.

I. Status of Amendments

By way of this amendment, claims 19, 26, 32, 33, 34 and 38 are amended, and claims 37 and 41 are canceled. Therefore, claims 1-36, 38-40, and 42-48 are at issue in the application.

II. The May 16, 2006 Office Action

The Office Action rejected claims 1-48 as being unpatentable under 35 USC § 103(a) over Martinek et al., WO 03/045519 (Martinek) in view of Rackman, U.S. Patent No. 4,670,857 (Rackman). The applicants respectfully request reconsideration.

A. Section 103(a) Rejections of Claims 1-31, 34-36, 38-40, and 42-48

Claim 1 recites, in part, "said controller being programmed to receive encrypted gaming data from said data storage device, said encrypted gaming data having been generated by performing a hash function on gaming data to form a first message digest and by doubly encrypting said first message digest utilizing a private encryption key of a gaming data authoring organization and a private encryption key of a gaming regulatory organization." Claim 1 further recites, in part, "said controller being programmed to doubly decrypt said encrypted gaming data utilizing a public encryption key of said gaming data authoring organization and a public encryption key of said gaming regulatory organization to form a decrypted message digest."

The Office Action admits Martinek does not disclose double encryption. The encryption of Martinek is by a singular regulator agency, game manufacturer, or game designer (page 30, line 26 – page 31, line 2). The Office Action alleges that Rackman teaches double encryption as claimed. However, as also acknowledged in the Office Action (page 4), Rackman states double encryption "allows the receiver to authenticate the transmitter and the transmitter to allow only the receiver to decrypt the message." To reinforce, Rackman states at Col. 5, line 67 – Col. 6, line 3, that "[t]he way to ensure both

privacy and authentication is for the transmitter to double encrypt the message with his private key and the receiver's public key." (emphasis added). This is not the subject matter of claim 1. The gaming data according to claim is encrypted using the private encryption key of a gaming data authoring organization and the private encryption key of a gaming regulatory organization (emphasis added). Neither the gaming data authoring organization nor the gaming regulatory organization is the receiver, in fact, neither one may be the transmitter, either. The gaming apparatus, or perhaps an operation of the gaming apparatus, is the receiver. In contrast, Martinek discloses a single encrypted copy of data (page 30, line 26 – page 31, line 2). Similarly, Rackman discloses a single copy of data signed by a transmitter's private key and a receiver's public key (col. 5, line 67 – col. 6, line 3). Thus, neither Martinek nor Rackman disclose, teach, or suggest forming a first message digest and doubly encrypting the first message digest utilizing a private encryption key of a gaming data authoring organization and a private encryption key of a gaming regulatory organization. Consequently, Martinek and Rackman also cannot disclose, teach, or suggest using a public encryption key of a gaming data authoring organization and a public encryption key of a gaming regulatory organization to form a decrypted message digest, as recited in claim 1.

Because neither Martinek nor Rackman disclose, teach, or suggest the encryption and decryption processes recited in claim 1 either individually or in combination, the combination of Martinek and Rackman do not disclose, teach, or suggest every limitation of claim 1 and a *prima facie* case of obviousness has not been made.

Therefore, claim 1 is allowable over the cited combination of Martinek and Rackman, and the rejection under 35 USC § 103(a) should be withdrawn. Because claim 1 is allowable, its dependent claims 2-5 are also allowable for at least this reason, and their rejections should be withdrawn.

Independent claim 6 recites, in part, "said controller being programmed to doubly decrypt said encrypted gaming data utilizing an encryption key of said gaming data authoring organization and an encryption key of said gaming regulatory organization to form decrypted gaming data." This language is nearly identical to that of claim 1. For reasons similar to those cited above with respect to claim 1, neither Martinek nor Rackman, nor a combination of the two, disclose, teach, or suggest double encrypting in this manner, using

keys from a data authoring organization and a regulatory organization. Therefore, claim 6 is allowable and its dependent claims, 7-18 are also allowable. The applicant requests the rejection of claims 6-18 be withdrawn.

Independent claims 19 and 26, respectively, have each been amended to recite, in part, “doubly encrypting said first abbreviated gaming data utilizing an encryption key of a first gaming organization representing a gaming data authoring organization and an encryption key of a second gaming organization representing a gaming regulatory organization.” and “causing said gaming data to be doubly encrypted by encrypting with an encryption key of a gaming data authoring organization and encrypting with an encryption key of a regulatory gaming organization.”

For reasons similar to those cited above with respect to claim 1, neither Martinek nor Rackman, nor a combination of the two disclose, teach, or suggest doubly encrypting using keys from a data authoring organization and a regulatory organization. Therefore, claims 19 and 26 are allowable and their respective dependent claims, 20-25 and 27-31 are also allowable. The applicant requests the rejection of claims 19-31 be withdrawn.

Claim 34 is amended to incorporate the subject matter of canceled claim 37 and recites, in part, “causing said abbreviated gaming data to be doubly encrypted by encrypting with an encryption key of a gaming data authoring organization and encrypting with an encryption key of a regulatory gaming organization,” and “causing said ... data to be transferred to a controller operatively coupled to said gaming apparatus.” Similar to the arguments above, the use of keys of a gaming data authoring organization and regulatory gaming organization is patentably different from the cited use of public and private keys by the transmitting party and the recipient party for privacy and authentication. Claim 34 as amended is allowable because neither Martinek nor Rackman disclose, teach, or suggest causing abbreviated gaming data to be doubly encrypted and transferred to a controller as recited in amended claim 34. Thus, claim 34 does not read on a case, for example, where a gaming data authoring organization is a transmitter and a regulatory gaming organization is the recipient. Therefore, claim 34 is allowable and its rejection should be withdrawn. Because claim 34 is allowable, its remaining dependent claims, 35 and 36, are allowable and their rejections should also be withdrawn.

Claim 38 is amended to incorporate the subject matter of canceled claim 41 and now recites, in part, “doubly decrypt said encrypted gaming data utilizing a public authoring key and a public gaming regulator key to form decrypted gaming data.”

The combination of Martinek and Rackman do not teach the use of two public keys for double authentication, but rather Martinek and Rackman teach the use of a sending party public key and a receiving party private key for authentication and privacy, respectively. Martinek and Rackman do not teach the use of two non-recipient public keys for doubly decrypting encrypted gaming data.

Because Martinek and Rackman, separately or in combination, do not teach at least the quoted limitation of claim 38, claim 38 is allowable and its rejection should be withdrawn. Claims 39 and 40 are also, therefore, allowable and their rejections should also be withdrawn.

Claim 42 recites, in part, “said controller being programmed to retrieve said first encrypted gaming data from memory; said controller being programmed to decrypt said first encrypted gaming data utilizing an encryption key of said first gaming organization to form first decrypted gaming data; said controller being programmed to retrieve said second encrypted gaming data from memory; said controller being programmed to decrypt said second encrypted gaming data utilizing an encryption key of said second gaming organization to form second decrypted gaming data; and said controller being programmed to determine if said first decrypted gaming data is identical to said second decrypted gaming data.”

Claim 46 recites, in part, “retrieving from memory first encrypted gaming data that was generated by encrypting gaming data relating to a casino game utilizing an encryption key of a first gaming organization; decrypting said first encrypted gaming data utilizing an encryption key of said first gaming organization to form first decrypted gaming data; retrieving from memory second encrypted gaming data that was generated by encrypting gaming data relating to a casino game utilizing an encryption key of a second gaming organization; decrypting said second encrypted gaming data utilizing an encryption key of said second gaming organization to form second decrypted gaming data; and

determining if said first decrypted gaming data is identical to said second decrypted gaming data.”

Martinek and Rackman do not disclose, teach, or suggest these limitations of claims 42 and 46. That is, neither reference teaches receiving separate encrypted copies of gaming data and separately decrypting the copies using keys from two gaming organizations and then comparing the results. Because neither Martinek nor Rackman disclose, teach, or suggest all the limitations of claims 42 or claim 46, both claims are allowable and the rejection under 35 USC § 103(a) should be withdrawn. Because claims 42 and 46 are allowable, their respective dependent claims, 43-45 and 47-48 are also allowable and their rejections should be withdrawn as well.

B. Section 103(a) Rejections of Claims 32 and 33

Claim 32 has been amended to recite, in part, “triply decrypting said encrypted gaming data utilizing a first encryption key, a second encryption key, and a third encryption key, each of said encryption keys being different.” As disclosed in Fig. 2D and at least at page 14, lines 18-25, the three keys may represent a public casino encryption key, a public gaming data authoring organization encryption key, and a public gaming regulatory organization key.

Decrypting using three keys is in contrast to the teachings of Rackman or Martinek. First, the use of three keys allows two additional parties to qualify the data over the one authenticating party (the transmitting party) of Rackman. Second, because the use of a third key has no corollary in a standard public key infrastructure (PKI) setting for privacy and authentication between two parties, the three key usage in claim 32 is novel in its ability to allow authentication of multiple parties by the receiver. See the explanation of PKI in Rackman Col. 5, line 30 to Col. 6, line 57.

Amended claim 33 further distinguishes over the cited art by reciting the three keys are the public keys of the casino, the gaming data authoring organization, and the public gaming regulatory organization. Because public keys are used for decryption, the encrypting

parties must both use private keys and the privacy use of encryption, as taught by Rackman, is not possible.

Because three key decryption is not taught in either Martinek or Rackman, claims 32 and 33 are patentably distinct over the combination of Martinek and Rackman. The applicants request the rejection of claims 32 and 33 be withdrawn.

In view of the above amendments and arguments, the applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 13-2855, under Order No. 29757/P-834 from which the undersigned is authorized to draw.

Dated: August 14, 2006

Respectfully submitted,

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